

Serial No.: 09/640,190  
Group Art Unit: 2674  
Examiner: T. Tran

## REMARKS

Claim 1 has been canceled, and new claims 2-5 added, upon entry of the amendments above. Claims 2-5 remain pending in the application.

The new claims have been added to improve the clarity of the claimed subject matter and to bring the claims into conformity with U.S. Practice and format, and to place the application fully in condition for allowance. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case.

## CLAIM REJECTIONS

### Claim Rejections under 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 6,195,085 (Becker et al.).

Applicant wishes to direct the Examiner's attention to MPEP § 2131 which states that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed.Cir. 1990).

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Claim 1 has been canceled and rewritten as new claims 2-5.

With regard to canceled claim 1, the Examiner equated the liquid-filled compartment of the invention to the liquid crystal display shell of Becker et al. The Examiner is referred to Figure 7 of the reference to Becker et al., as well as column 10, lines 37-50, which states that the liquid-crystal plate 320 includes a liquid-crystal plate 320 attached to a rigid outer shell 310 and smaller liquid-crystal plates 321 and 322 are respectively attached to buttons 311 and 312. Simple touching of the liquid-crystal plates by the user results in the plates changing color. Hence, the operation of the liquid-crystal plates of the device of Becker et al. is electronically controlled by the mouse or the computer to which the mouse is attached. Applicant most respectfully believes that one cannot equate the liquid-crystal matrix of the device of Becker et al. to the liquid-filled compartment comprising a see-through external wall of the claimed invention, further, the Examiner will note that the visibility of the liquid-filled compartment of the claimed invention is not controlled or directed by the electronic controls of the mouse or the computer to which the mouse is connected to, as is the case with the device of Becker et al. Further, in the device of Becker et al., there is no compartment onto which a liquid-filled compartment can be positioned at a lower case of the mouse, with an upper case which does not encapsulate the liquid-filled compartment of the claimed invention. Applicant most respectfully believes that the claimed invention and the reference to Becker et al. are patentably distinct.

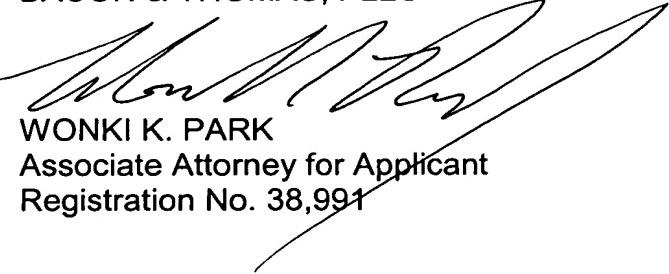
Withdrawal of the rejection is respectfully requested in view of the remarks above and the new claims.

In summary, it is respectfully submitted that the prior art does not teach the invention as claimed. Accordingly, allowance of the claims appears to be warranted and the same is respectfully requested. In the event there are any outstanding matters

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remaining in the present application which can be resolved by a telephone call or facsimile communication to Applicant's Attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,  
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